

in the United States District Court

Middle District of Alabama

James Robert West, Jr.,
Plaintiff,

2007 NOV 27 A 9:26

-VS-

Drew Harris, et al.,
Defendants.

COBRA P. HACKETT, JR.
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
Civil Action No. 2007-747-WKW

Motion For Order

Come Now the Plaintiff, James West, appearing Pro Se in the above-styled cause and moves this Court to reconsider and set aside its Order of October 15, 2007, wherein the Complaint was dismissed without prejudice.

As Grounds For this Motion, West shows as follows.

West filed the Complaint in the above-styled cause on August 22, 2007. On September 6, 2007 West moved the Court to dismiss the Complaint due to the fact that he was unable to pay the initial partial filing fee (\$1.50).

On September 10, 2007, the Magistrate Judge recommended the Complaint be dismissed without prejudice. Final order was issued on October 15, 2007.

On October 15, 2007, West received a Money Order for \$15.00. (See Exhibit -1) On October 15, 2007, the prison business office deducted \$3.00, Court Ordered Payment, Case No. 2007CV747W. The deduction was made by Upland Goran.

On October 31, 2007, this Court returned \$2.00 of the \$3.00 deducted on October 15, 2007. West has been notified by Goran that he has been tased with the

Cost in this case, \$350.00.

Because West has been taxed with costs of the filing of the Complaint in this cause, and because West has a total of \$2.17 in his PMOB account, he requests the Court notify the Business Office, Uplanda Arvan, to forward the sum of .50 to this Court to complete payment of the initial partial filing fee.

And, because of circumstances that have developed since this case was dismissed, assault and threats of assault by ABC employees, West moves the Court to include in its Order that West be allowed to file an amended complaint which will include additional defendants. Because West has been denied, and continues to be denied adequate legal materials, specifically paper and carbon paper, West requests ample time to complete and file the Amended Complaint.

Wherefore, the premises considered, West prays the Court grant leave to refile an amended Complaint in this cause.

Respectfully submitted this the 20th day of November 2007.

Respectfully,
James West, Pro Se

Exhibit 1

STATE OF ALABAMA
DEPARTMENT OF CORRECTIONS
EASTERLING CORR FACILITY

OCT. 15, 2007

INMATE DEPOSITS

RECEIPT#: 2008000691

RECEIVED OF: WEST, JAMES ROBERT J	AIS#: 110315	BED ID: B27001A
\$0.17 PREVIOUS BALANCE	DEPOSIT SENT BY: BETTY FRASE REED / CHILDREN	
\$12.00 NET DEPOSIT	DEPOSIT DOCUMENT: US PO MONEY ORD	
\$3.00 C.O.P. DEDUCTED	CASE#: 2007CV747W	DOC.#: 11190147660
\$0.00	CASE#: N/A	MAIL LOG#: N/A
\$12.17 CURRENT BALANCE	POSTED BY: YOLANDA GOVAN	

